

Pro Se 15 (Rev. 12/16) Complaint for Violation of Civil Rights (Non-Prisoner)

## UNITED STATES DISTRICT COURT

for the

District of

Division

Case No.

4:20CV3151

(to be filled in by the Clerk's Office)

Jury Trial: (check one)



Yes



No

## Plaintiff(s)

(Write the full name of each plaintiff who is filing this complaint. If the names of all the plaintiffs cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names.)

-v- Gary Hovey Matthew Proehl

## Defendant(s)

(Write the full name of each defendant who is being sued. If the names of all the defendants cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names. Do not include addresses here.)

North Platte Police Department

## COMPLAINT FOR VIOLATION OF CIVIL RIGHTS

(Non-Prisoner Complaint)

## NOTICE

Federal Rules of Civil Procedure 5.2 addresses the privacy and security concerns resulting from public access to electronic court files. Under this rule, papers filed with the court should *not* contain: an individual's full social security number or full birth date; the full name of a person known to be a minor; or a complete financial account number. A filing may include *only*: the last four digits of a social security number; the year of an individual's birth; a minor's initials; and the last four digits of a financial account number.

Except as noted in this form, plaintiff need not send exhibits, affidavits, grievance or witness statements, or any other materials to the Clerk's Office with this complaint.

In order for your complaint to be filed, it must be accompanied by the filing fee or an application to proceed in forma pauperis.

**I. The Parties to This Complaint****A. The Plaintiff(s)**

Provide the information below for each plaintiff named in the complaint. Attach additional pages if needed.

Name

Address

County

Telephone Number

E-Mail Address

Kayla Reed Route MD King  
 1505 N Sheridan Ave  
 North Platte NE 69101  
 City State Zip Code  
 USA Lincoln  
 308 ~~520~~ 520 5171  
 308660-5857 Jovonte Kinn 985@ym

**B. The Defendant(s)**

Provide the information below for each defendant named in the complaint, whether the defendant is an individual, a government agency, an organization, or a corporation. For an individual defendant, include the person's job or title (if known) and check whether you are bringing this complaint against them in their individual capacity or official capacity, or both. Attach additional pages if needed.

**Defendant No. 1**

Name

Job or Title (if known)

Address

County

Telephone Number

E-Mail Address (if known)

Gary Hovey  
 Sargent  
 701 S Jeffers  
 North Platte NE 69101  
 City State Zip Code  
 Lincoln  
 308 535 6789  
☒ Individual capacity ☐ Official capacity

**Defendant No. 2**

Name

Job or Title (if known)

Address

County

Telephone Number

E-Mail Address (if known)

Matthew Proehl  
 Officer  
 701 S Jeffers  
 North Platte NE 69101  
 City State Zip Code  
 Lincoln  
 308 535 6789  
☒ Individual capacity ☐ Official capacity

**Defendant No. 3**

Name

Job or Title (if known)

Address

North Platte Police Department  
 Corporation  
 701 S Jeffers  
 North Platte NE 69101  
 City State Zip Code

County  
 Telephone Number  
 E-Mail Address (if known)

Lincoln  
 308 535 6789

☐ Individual capacity ☒ Official capacity

Defendant No. 4

Name  
 Job or Title (if known)  
 Address

City State Zip Code

County  
 Telephone Number  
 E-Mail Address (if known)

☐ Individual capacity ☐ Official capacity

## II. Basis for Jurisdiction

Under 42 U.S.C. § 1983, you may sue state or local officials for the "deprivation of any rights, privileges, or immunities secured by the Constitution and [federal laws]." Under *Bivens v. Six Unknown Named Agents of Federal Bureau of Narcotics*, 403 U.S. 388 (1971), you may sue federal officials for the violation of certain constitutional rights.

A. Are you bringing suit against (check all that apply):

- ☐ Federal officials (a *Bivens* claim)  
☒ State or local officials (a § 1983 claim)

B. Section 1983 allows claims alleging the "deprivation of any rights, privileges, or immunities secured by the Constitution and [federal laws]." 42 U.S.C. § 1983. If you are suing under section 1983, what federal constitutional or statutory right(s) do you claim is/are being violated by state or local officials?

4th 5th 14th

C. Plaintiffs suing under *Bivens* may only recover for the violation of certain constitutional rights. If you are suing under *Bivens*, what constitutional right(s) do you claim is/are being violated by federal officials?

D. Section 1983 allows defendants to be found liable only when they have acted "under color of any statute, ordinance, regulation, custom, or usage, of any State or Territory or the District of Columbia." 42 U.S.C. § 1983. If you are suing under section 1983, explain how each defendant acted under color of state or local law. If you are suing under *Bivens*, explain how each defendant acted under color of federal law. Attach additional pages if needed.

### III. Statement of Claim

State as briefly as possible the facts of your case. Describe how each defendant was personally involved in the alleged wrongful action, along with the dates and locations of all relevant events. You may wish to include further details such as the names of other persons involved in the events giving rise to your claims. Do not cite any cases or statutes. If more than one claim is asserted, number each claim and write a short and plain statement of each claim in a separate paragraph. Attach additional pages if needed.

A. Where did the events giving rise to your claim(s) occur?

North Platte ne Dec 4/2020

B. What date and approximate time did the events giving rise to your claim(s) occur?

Dec 4 2020  
Around 11:30 PM

C. What are the facts underlying your claim(s)? (For example: What happened to you? Who did what? Was anyone else involved? Who else saw what happened?)

### IV. Injuries

If you sustained injuries related to the events alleged above, describe your injuries and state what medical treatment, if any, you required and did or did not receive.

**V. Relief**

State briefly what you want the court to do for you. Make no legal arguments. Do not cite any cases or statutes. If requesting money damages, include the amounts of any actual damages and/or punitive damages claimed for the acts alleged. Explain the basis for these claims.

3000 Jail  
1200 Car  
The basis for these claims  
am seeking 75,000 in damages ~~XXXXXX~~  
are damage to property unlawful Search Seizure Trespass;  
mental anguish and humiliation false imprisonment  
deprivation of life liberty property along with the willful  
and egregious violation of the 4<sup>th</sup> 5<sup>th</sup> 14<sup>th</sup> amendment  
along with both of them being fined / Imprisonment Devote / ai  
Kayla & Reed no more

**VI. Certification and Closing**

Under Federal Rule of Civil Procedure 11, by signing below, I certify to the best of my knowledge, information, and belief that this complaint: (1) is not being presented for an improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation; (2) is supported by existing law or by a nonfrivolous argument for extending, modifying, or reversing existing law; (3) the factual contentions have evidentiary support or, if specifically so identified, will likely have evidentiary support after a reasonable opportunity for further investigation or discovery; and (4) the complaint otherwise complies with the requirements of Rule 11.

1/25

**A. For Parties Without an Attorney**

I agree to provide the Clerk's Office with any changes to my address where case-related papers may be served. I understand that my failure to keep a current address on file with the Clerk's Office may result in the dismissal of my case.

Date of signing: 12-11-20

Signature of Plaintiff

Printed Name of Plaintiff

Kayla Reed Devonté King  
Kayla Reed Devonté King

**B. For Attorneys**

Date of signing: \_\_\_\_\_

Signature of Attorney

Printed Name of Attorney

Bar Number

Name of Law Firm

Address

City

State

Zip Code

Telephone Number

E-mail Address



JS 44 (Rev. 08/18)

## CIVIL COVER SHEET

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON NEXT PAGE OF THIS FORM.)

## I. (a) PLAINTIFFS

Delonte Kamy  
Layla reed

(b) County of Residence of First Listed Plaintiff

Lincoln

(EXCEPT IN U.S. PLAINTIFF CASES)

(c) Attorneys (Firm Name, Address, and Telephone Number)

## DEFENDANTS Gary Hovey Matthew

north platte police department Proehl

County of Residence of First Listed Defendant

Lincoln

(IN U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE TRACT OF LAND INVOLVED.

Attorneys (If Known)

## II. BASIS OF JURISDICTION (Place an "X" in One Box Only)

- ☐ 1 U.S. Government Plaintiff ☒ Federal Question (U.S. Government Not a Party)
- ☐ 2 U.S. Government Defendant ☐ 4 Diversity (Indicate Citizenship of Parties in Item III)

## III. CITIZENSHIP OF PRINCIPAL PARTIES (Place an "X" in One Box for Plaintiff and One Box for Defendant)

- |   | PTF                        | DEF                        |   | PTF                        | DEF                        |
|---|----------------------------|----------------------------|---|----------------------------|----------------------------|
| Citizen of This State                   | <input type="checkbox"/> 1 | <input type="checkbox"/> 1 | Incorporated or Principal Place of Business In This State     | <input type="checkbox"/> 4 | <input type="checkbox"/> 4 |
| Citizen of Another State                | <input type="checkbox"/> 2 | <input type="checkbox"/> 2 | Incorporated and Principal Place of Business In Another State | <input type="checkbox"/> 5 | <input type="checkbox"/> 5 |
| Citizen or Subject of a Foreign Country | <input type="checkbox"/> 3 | <input type="checkbox"/> 3 | Foreign Nation  | <input type="checkbox"/> 6 | <input type="checkbox"/> 6 |

## IV. NATURE OF SUIT (Place an "X" in One Box Only)

Click here for: Nature of Suit Code Descriptions.

CONTRACT	TORTS	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES	
<input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 151 Medicare Act <input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excludes Veterans) <input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits <input type="checkbox"/> 160 Stockholders' Suits <input type="checkbox"/> 190 Other Contract <input type="checkbox"/> 195 Contract Product Liability <input type="checkbox"/> 196 Franchise	<b>PERSONAL INJURY</b> <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Federal Employers' Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input checked="" type="checkbox"/> 360 Other Personal Injury <input type="checkbox"/> 362 Personal Injury - Medical Malpractice	<input type="checkbox"/> 365 Personal Injury - Product Liability <input type="checkbox"/> 367 Health Care/Pharmaceutical Personal Injury Product Liability <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability <b>PERSONAL PROPERTY</b> <input type="checkbox"/> 370 Other Fraud <input type="checkbox"/> 371 Truth in Lending <input type="checkbox"/> 380 Other Personal Property Damage <input type="checkbox"/> 385 Property Damage Product Liability	<input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881 <input type="checkbox"/> 690 Other <b>LABOR</b> <input type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor/Management Relations <input type="checkbox"/> 740 Railway Labor Act <input type="checkbox"/> 751 Family and Medical Leave Act <input type="checkbox"/> 790 Other Labor Litigation <input type="checkbox"/> 791 Employee Retirement Income Security Act <b>IMMIGRATION</b> <input type="checkbox"/> 462 Naturalization Application <input type="checkbox"/> 465 Other Immigration Actions	<input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157 <b>PROPERTY RIGHTS</b> <input type="checkbox"/> 820 Copyrights <input type="checkbox"/> 830 Patent <input type="checkbox"/> 835 Patent - Abbreviated New Drug Application <input type="checkbox"/> 840 Trademark <b>SOCIAL SECURITY</b> <input type="checkbox"/> 861 HIA (1395ff) <input type="checkbox"/> 862 Black Lung (923) <input type="checkbox"/> 863 DIWC/DIWW (405(g)) <input type="checkbox"/> 864 SSID Title XVI <input type="checkbox"/> 865 RSI (405(g)) <b>FEDERAL TAX SUITS</b> <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS—Third Party 26 USC 7609	<input type="checkbox"/> 375 False Claims Act <input type="checkbox"/> 376 Qui Tam (31 USC 3729(a)) <input type="checkbox"/> 400 State Reapportionment <input type="checkbox"/> 410 Antitrust <input type="checkbox"/> 430 Banks and Banking <input type="checkbox"/> 450 Commerce <input type="checkbox"/> 460 Deportation <input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations <input type="checkbox"/> 480 Consumer Credit <input type="checkbox"/> 485 Telephone Consumer Protection Act <input type="checkbox"/> 490 Cable/Sat TV <input type="checkbox"/> 850 Securities/Commodities/Exchange <input type="checkbox"/> 890 Other Statutory Actions <input type="checkbox"/> 891 Agricultural Acts <input type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 895 Freedom of Information Act <input type="checkbox"/> 896 Arbitration <input type="checkbox"/> 899 Administrative Procedure Act/Review or Appeal of Agency Decision <input type="checkbox"/> 950 Constitutionality of State Statutes
<b>REAL PROPERTY</b> <input type="checkbox"/> 210 Land Condemnation <input type="checkbox"/> 220 Foreclosure <input type="checkbox"/> 230 Rent Lease & Ejectment <input type="checkbox"/> 240 Torts to Land <input type="checkbox"/> 245 Tort Product Liability <input checked="" type="checkbox"/> 290 All Other Real Property	<b>CIVIL RIGHTS</b> <input checked="" type="checkbox"/> 440 Other Civil Rights <input type="checkbox"/> 441 Voting <input type="checkbox"/> 442 Employment <input type="checkbox"/> 443 Housing/Accommodations <input type="checkbox"/> 445 Amer. w/Disabilities - Employment <input type="checkbox"/> 446 Amer. w/Disabilities - Other <input type="checkbox"/> 448 Education	<b>PRISONER PETITIONS</b> <b>Habeas Corpus:</b> <input type="checkbox"/> 463 Alien Detainee <input type="checkbox"/> 510 Motions to Vacate Sentence <input type="checkbox"/> 530 General <input type="checkbox"/> 535 Death Penalty <b>Other:</b> <input type="checkbox"/> 540 Mandamus & Other <input type="checkbox"/> 550 Civil Rights <input type="checkbox"/> 555 Prison Condition <input type="checkbox"/> 560 Civil Detainee - Conditions of Confinement			

## V. ORIGIN (Place an "X" in One Box Only)

- ☐ 1 Original Proceeding ☐ 2 Removed from State Court ☐ 3 Remanded from Appellate Court ☐ 4 Reinstated or Reopened ☐ 5 Transferred from Another District (specify) ☐ 6 Multidistrict Litigation - Transfer ☐ 8 Multidistrict Litigation - Direct File

## VI. CAUSE OF ACTION

Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity):

18 U.S. Code 242 - 42 U.S. Code 1983

Brief description of cause:

7th amendment The right of the people to be secure 14th 5th

## VII. REQUESTED IN COMPLAINT:

☐ CHECK IF THIS IS A CLASS ACTION UNDER RULE 23, F.R.Cv.P.

DEMAND \$ 100,000.00

CHECK YES only if demanded in complaint:  
JURY DEMAND: ☒ Yes ☐ No

## VIII. RELATED CASE(S) IF ANY

(See instructions):

JUDGE Joel Jay

DOCKET NUMBER Cr 20 2089

DATE

SIGNATURE OF ATTORNEY OF RECORD

## FOR OFFICE USE ONLY

RECEIPT # \_\_\_\_\_ AMOUNT \_\_\_\_\_ APPLYING IFP \_\_\_\_\_ JUDGE \_\_\_\_\_ MAG. JUDGE \_\_\_\_\_

**INSTRUCTIONS FOR ATTORNEYS COMPLETING CIVIL COVER SHEET FORM JS 44****Authority For Civil Cover Sheet**

The JS 44 civil cover sheet and the information contained herein neither replaces nor supplements the filings and service of pleading or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. Consequently, a civil cover sheet is submitted to the Clerk of Court for each civil complaint filed. The attorney filing a case should complete the form as follows:

- I.(a) **Plaintiffs-Defendants.** Enter names (last, first, middle initial) of plaintiff and defendant. If the plaintiff or defendant is a government agency, use only the full name or standard abbreviations. If the plaintiff or defendant is an official within a government agency, identify first the agency and then the official, giving both name and title.
  - (b) **County of Residence.** For each civil case filed, except U.S. plaintiff cases, enter the name of the county where the first listed plaintiff resides at the time of filing. In U.S. plaintiff cases, enter the name of the county in which the first listed defendant resides at the time of filing. (NOTE: In land condemnation cases, the county of residence of the "defendant" is the location of the tract of land involved.)
  - (c) **Attorneys.** Enter the firm name, address, telephone number, and attorney of record. If there are several attorneys, list them on an attachment, noting in this section "(see attachment)".
- II. **Jurisdiction.** The basis of jurisdiction is set forth under Rule 8(a), F.R.Cv.P., which requires that jurisdictions be shown in pleadings. Place an "X" in one of the boxes. If there is more than one basis of jurisdiction, precedence is given in the order shown below.
- United States plaintiff. (1) Jurisdiction based on 28 U.S.C. 1345 and 1348. Suits by agencies and officers of the United States are included here.
- United States defendant. (2) When the plaintiff is suing the United States, its officers or agencies, place an "X" in this box.
- Federal question. (3) This refers to suits under 28 U.S.C. 1331, where jurisdiction arises under the Constitution of the United States, an amendment to the Constitution, an act of Congress or a treaty of the United States. In cases where the U.S. is a party, the U.S. plaintiff or defendant code takes precedence, and box 1 or 2 should be marked.
- Diversity of citizenship. (4) This refers to suits under 28 U.S.C. 1332, where parties are citizens of different states. When Box 4 is checked, the citizenship of the different parties must be checked. (See Section III below; **NOTE: federal question actions take precedence over diversity cases.**)
- III. **Residence (citizenship) of Principal Parties.** This section of the JS 44 is to be completed if diversity of citizenship was indicated above. Mark this section for each principal party.
- IV. **Nature of Suit.** Place an "X" in the appropriate box. If there are multiple nature of suit codes associated with the case, pick the nature of suit code that is most applicable. Click here for: [Nature of Suit Code Descriptions](#).
- V. **Origin.** Place an "X" in one of the seven boxes.
- Original Proceedings. (1) Cases which originate in the United States district courts.
- Removed from State Court. (2) Proceedings initiated in state courts may be removed to the district courts under Title 28 U.S.C., Section 1441. When the petition for removal is granted, check this box.
- Remanded from Appellate Court. (3) Check this box for cases remanded to the district court for further action. Use the date of remand as the filing date.
- Reinstated or Reopened. (4) Check this box for cases reinstated or reopened in the district court. Use the reopening date as the filing date.
- Transferred from Another District. (5) For cases transferred under Title 28 U.S.C. Section 1404(a). Do not use this for within district transfers or multidistrict litigation transfers.
- Multidistrict Litigation – Transfer. (6) Check this box when a multidistrict case is transferred into the district under authority of Title 28 U.S.C. Section 1407.
- Multidistrict Litigation – Direct File. (8) Check this box when a multidistrict case is filed in the same district as the Master MDL docket.
- PLEASE NOTE THAT THERE IS NOT AN ORIGIN CODE 7.** Origin Code 7 was used for historical records and is no longer relevant due to changes in statute.
- VI. **Cause of Action.** Report the civil statute directly related to the cause of action and give a brief description of the cause. **Do not cite jurisdictional statutes unless diversity.** Example: U.S. Civil Statute: 47 USC 553 Brief Description: Unauthorized reception of cable service
- VII. **Requested in Complaint.** Class Action. Place an "X" in this box if you are filing a class action under Rule 23, F.R.Cv.P.
- Demand. In this space enter the actual dollar amount being demanded or indicate other demand, such as a preliminary injunction.
- Jury Demand. Check the appropriate box to indicate whether or not a jury is being demanded.
- VIII. **Related Cases.** This section of the JS 44 is used to reference related pending cases, if any. If there are related pending cases, insert the docket numbers and the corresponding judge names for such cases.

**Date and Attorney Signature.** Date and sign the civil cover sheet.



Kayla Reed

## C facts

i was coming home from work in my auto mobile mr matthew flashed his lights behind me i pulled over to let mr matthew pass instead mr matthew interfered with my right to travel and began to trespass upon i

i was scared for my life the man matthew proehl kept asking questions and would not let me continue to travel mr gary hovey said i was under arrest if i did not ~~give~~ self incriminate

i gave mr proehl my hand written statement they gave it back said they are going to break my property windows if i do not exit the property mr hovey and mr ~~proehl~~ then open my doors pull me out of my property threatens me and false imprisonment i searched and seized my property unlawful trespass

i woman was going point A to point B  
i have broken no law

## Statement of claim

Kayla Reed

i woman claim matthew proehl trespass upon  
i pulled me out of my property false imprisonment  
me and unlawfully search and seized my property  
twisted my hands and arms excessively

i woman claim the man gary hovey trespass upon  
i unlawful search and seized my property  
false imprisonment i

i woman claim that north platte police depart-  
ment helped mr. hovey and mr proehl seize my  
property for ransom no crime was committed by  
me or my property

all codes rules and regulations are for government authorities only

Rodriguez v Ray Donovan

5<sup>th</sup> amendment right against self incrimination

Chicago motor coach v Chicago ~~169 ne 221~~

the right of the citizen to travel upon the public highways and to transport his/her property thereon either by carriage or by automobile is not a mere privilege which a city may prohibit or permit at will but a common law right

4 Amendment  
the right of the people to be secure in their persons houses and effects against unreasonable searches and seizures shall not be violated

Devonte lay  
D.

~~the man~~ the man matthar Proehl Violated  
the 4<sup>th</sup> amendment By The unlawful Search and  
Seizure of my property

the man Gary Hovey Violated the 4<sup>th</sup>  
amendment By the unlawful Search and Seizure  
of my property property was damaged during Search  
and seizure

North Platte Police Department Helped Mr Hovey and Matthew Proehl  
with the Seizure of my property and held property  
for ransom depriving me of my property

Statement of claim  
Devonte Jay

Mr Matthew Prahl and Mr Gary Hovey  
and Northplatte Police department unlawfully Search  
and seized my property Dec 4 2020 held  
Property for ransom



freedomfromgovernment.org

## Exercise Your Rights Card



***The police have a duty to assume you are guilty until proven innocent because their job is to find criminals and get confessions.***

***AND YOU have a duty to assert your rights before government employees violate them.***

*The U.S. Constitution prohibits the government from interfering with your right to remain silent, to consult with counsel, and to be free from unreasonable searches and seizures by law enforcement. However, it is up to you to assert these rights. This card will help you do so effectively.*

*If you are confronted by a police officer, remain calm. Be courteous and request identification. Politely refuse to answer any further questions. Ask to talk to counsel. Do not consent to any search of your person, your property, your residence or your car. Tell the officer you would like to give him or her this card, which is a statement of the constitutional rights you wish to invoke.*

**Learn More Here**



***Do not reach for this card until you have obtained the officer's permission to do so.***

**Visit: [FREEDOMFROMGOVERNMENT.ORG](http://FREEDOMFROMGOVERNMENT.ORG) for more information**

Printed in May, 2020 in the USA.

## STATEMENT FOR POLICE

**My Rights:**

- 1** Silence. Including providing ANY documents or information that may incriminate me or be used against me.
- 2** I require having counsel present before answering ANY questions.
- 3** I do not consent to any searches. Saying "no" does not mean that I have something to hide.
- 4** I have the right to know who you are when you are acting in a public capacity.
- 5** I have the right to know if I am being detained or arrested, and why. If I am not being detained or arrested then I am free to leave.
- 6** I am NOT acting in a commercial capacity as a "driver" of a "motor vehicle" in "trade", "traffic", or "transportation" as defined in 49 USC §31301 and therefore "motor vehicle codes" are not applicable if traveling by the means of the day to get from one place to another.
- 7** Civil rights violations will be litigated in federal court.

*"I hereby invoke and refuse to waive all of the following rights and privileges afforded to me by the United States Constitution. I invoke and refuse to waive my 5th Amendment right to Remain Silent. I invoke and refuse to waive my 6th Amendment right to counsel of my choice. I invoke and refuse to waive my 4th Amendment right to be free from unreasonable searches and seizures. If I am not presently under arrest, or under investigatory detention, please allow me to leave."*

*"The claim and exercise of a constitutional right cannot be converted into a crime." - Miller v. U.S., 230 F 2d 486, 489*

*"With no injured party, a complaint is invalid on its face".  
Gibson v. Boyle, 139 Ariz. 512*

**YOU ARE BEING AUDIO AND VIDEO RECORDED FOR MY SAFETY.**

Defendant Copy

## Uniform Citation and Complaint

Citation Number: NP1100207

Date of Offense 12/04/2020	Time of Offense 00:00	IR/Case# 20-20808	Troop/Officer/Section
Plaintiff: State of Nebraska In the LINCOLN - 15 County Court Court Case #			
Defendant Information:			
Last Name REED	First Name KAYLA	M I P	Suffix Phone
Street Address 1505 N SHERIDAN		City NORTH PLATTE	State NE Zip Code 68101 Country US
DOB 08/20/1992	Gender F	Height 5' 06"	Weight 180 LBS
DL State IA	DL Country US	DL Number 29MAR2037	Exp Date 12/04/2020
Vehicle Year 2008	Vehicle Type PA	Vehicle Style 4D	Make TOYOTA - TOYT
Vehicle VIN JTD0B32E600063492	Vehicle License PR19473	State U	Vehicle Country US
Cameo Name	US DOT Number	ICC Number	Color RED - RED
Business Address		City	State Zip Code Country
The undersigned being duly sworn, says the defendant at the time and date shown, did unlawfully commit the following offense(s):			
Violation Location	In the County of LINCOLN - 15	In the City of NORTH PLATTE	Highway T
Location at or near WILLOW AND RDDEO RD	Latitude	Longitude	Highway Suffix T Mile Marker
In violation of:			
O F F E N S E 001	Statute/Ordinance Section 28-118(1)(A)	Offense Description POSSESS MARIJUANA 1 OZ OR LESS-1ST OFF	Violation Type B
	Speed mph in mph Zone	Tracked NCIC Code 3385	BAC Percent Actual Weight Legal Weight
	Comments	Fine Lbs OverWt Pct OverWt	Liquidated Damages Amount
			A check means "Yes" School Zone Road Construction Zone
O F F E N S E 002	Statute/Ordinance Section 28-395(1)(A)	Offense Description UNLAWFUL PICT DISPLAY OF PLATE/RENEW TAB	Violation Type B
	Speed mph in mph Zone	Tracked NCIC Code 5485	BAC Percent Actual Weight Legal Weight
	Comments	Fine Lbs OverWt Pct OverWt	Liquidated Damages Amount
			A check means "Yes" School Zone Road Construction Zone
O F F E N S E 003	Statute/Ordinance Section 28-606	Offense Description OBSTRUCT A PEACE OFFICER	Violation Type B
	Speed mph in mph Zone	Tracked NCIC Code 4899	BAC Percent Actual Weight Legal Weight
	Comments	Fine Lbs OverWt Pct OverWt	Liquidated Damages Amount
			A check means "Yes" School Zone Road Construction Zone
O F F E N S E 004	Statute/Ordinance Section 28-3187	Offense Description NO PROOF OF INSURANCE	Violation Type B
	Speed mph in mph Zone	Tracked NCIC Code 5499	BAC Percent Actual Weight Legal Weight
	Comments	Fine Lbs OverWt Pct OverWt	Liquidated Damages Amount
			A check means "Yes" School Zone Road Construction Zone
PROB. NO. 111(1)(A) NORTH PLATTE POLICE DEPARTMENT		Date 12/04/2020	188 HOVEY, GARY
Reporting Officer 1/Agency		Badge Number	Reporting Officer 2/Agency
This is an appearance only, not a trial date. You MUST appear in Court as directed below.		Prosecutor	Date 12/04/2020
Your Court Appearance: <input checked="" type="checkbox"/> To be determined		Court Address	Mailing Address
		LINCOLN COUNTY COURT	

Page 1 of 2

Defendant Copy

## Uniform Citation and Complaint

Citation Number: NP1100207

Date of Offense 12/04/2020	Time of Offense 00:00	IR/Case# 20-20808	Troop/Officer/Section
Plaintiff: State of Nebraska In the LINCOLN - 15 County Court Court Case #			
Defendant Information:			
Last Name REED	First Name KAYLA	M I P	Suffix Phone
Street Address 1505 N SHERIDAN		City NORTH PLATTE	State NE Zip Code 68101 Country US
Date	Time	301 N JEFFERS NORTH PLATTE, NE 68101	301 N JEFFERS ROOM 207 NORTH PLATTE, NE 68101
I promise that I will appear in court at the above time and place		X	
Your Signature is not an admission of guilt, but a promise to appear. Failure to comply with the terms of this citation is punishable by jail or fine or both and may result in suspension of your operator's license.		Signature of Defendant	Date
You have the right to a trial and may appear in court as directed above. <input type="checkbox"/> You are allowed to plead guilty to this offense without appearing in court. If you choose to plead guilty you may pay a fine of _____ costs of _____ and liquidated damages of _____ for a total of _____			

Image ID: F00014812C15

**JOURNAL ENTRY AND ORDER**

IN THE COUNTY COURT OF LINCOLN COUNTY, NEBRASKA

ST V. KAYLA P REED

Printed on 12/04/2020 at 11:09

DOB: 8/30/1993

Room 15C03

Case ID: CR 20 2084

Page 1

Citation: NP 1100207

Date of Hearing 12/04/2020

CHARGES (AMENDMENTS/PLEAS/FINDINGS/FINES/PRESENTENCE/JAIL/DISMISSALS)

CHARGE	STATUTE	DESCRIPTION	CLASS	TYPE
01	28-906	Obstruct a peace officer	1	MSD

A P P E A R A N C E S A N D A D V I S E M E N T

Judge Joel Jay

Defendant KAYLA P REED in custody

Defense Counsel Self-Represented Litigant

Prosecutor Tanya K Roberts-Connick

Defendant advised of the nature of the above charges, and all possible penalties.

Defendant advised of the effect of conviction on non-citizens and each of the following rights: Counsel, Appointed Counsel; Trial; Jury Trial; Confront Accusers; Subpoena Witnesses; Remain Silent; Request Transfer to Juvenile Court; Defendant's Presumption of Innocence; State's Burden of Proof Beyond Reasonable Doubt (clear and convincing in cases of probation violation); Right to Appeal.

A R R A I G N M E N T

Defendant, having been informed of right to counsel, voluntarily, intelligently and knowingly waived that right.

B O N D I N F O R M A T I O N

The Court, having considered all methods of bonds and conditions of release to reasonably assure the defendant's appearance, to ensure the safety and maintenance of alleged evidence, to ensure the safety of alleged victims, witnesses, or other persons in the community, and to avoid pretrial incarceration, and having further considered the defendant's financial ability to pay and other factors set forth in Neb. Rev. Stat. Section 29-901.01, sets the bond at \$2,500.00 Ten Percent.

F U T U R E C O U R T A P P E A R A N C E S

Case continued to 12/09/2020 at 9:00 AM on motion of Defense  
in County Courtroom 02 for Entry of Plea

Hon. \_\_\_\_\_

Joel Jay

12/04/2020  
Date

RAC

Bailiff

Tape Nos. CD

Journal Entry and Order(s) copies to:

Roberts-Connick, Tanya, Kay,

connictr@co.lincoln.ne.us

DEFENDANT

CORRECTIONS

CASHIER/BAILIFF

**CASE FILE COPY**

**FILED BY**  
Clerk of the Lincoln County Court  
12/04/2020

**JOURNAL ENTRY AND ORDER**

**JOURNAL ENTRY AND ORDER**

IN THE COUNTY COURT OF LINCOLN COUNTY, NEBRASKA

ST V. KAYLA P REED

Printed on 12/09/2020 at 9:25

DOB: 8/30/1993

Room 15C02

Case ID: CR 20 2084

Page 1

Citation: NP 1100207

Date of Hearing 12/09/2020

CHARGES (AMENDMENTS/PLEAS/FINDINGS/FINES/PRESENTENCE/JAIL/DISMISSALS)

CHARGE	STATUTE	DESCRIPTION	CLASS	TYPE
01 Plea: Not Guilty	28-906	Obstruct a peace officer	1	MSD

APPEARANCES AND ADVISEMENT

Judge	Kent D Turnbull
Defendant	KAYLA P REED
Defense Counsel	Self-Represented Litigant
Prosecutor	Angela M Franz

ARRAIGNMENT

Defendant enters above pleas.

BOND INFORMATION

The Court, having considered all methods of bonds and conditions of release to reasonably assure the defendant's appearance, to ensure the safety and maintenance of alleged evidence, ensure the safety of alleged victims, witnesses, or other persons in the community, and to avoid pretrial incarceration, and having further considered the defendant's financial ability to pay and other factors set forth in Neb. Rev. Stat. Section 29-901.01, sets the bond at \$2,500.00 Ten Percent.

ADDITIONAL ENTRIES OF RECORD

Defendant has posted bond of 2,500 10% - bond is continued.

FUTURE COURT APPEARANCES

Case continued to 1/20/2021 at 9:30 AM on motion of the Court,  
in County Courtroom 02 for Jury Trial.

Hon.

  
 Kent D Turnbull
12/09/2020  
Date

CP

Bailiff

Tape Nos. CD

DEFENDANT COPY

**FILED BY**  
 Clerk of the Lincoln County Court  
 12/09/2020

JOURNAL ENTRY AND ORDER





City of North Platte  
**North Platte Police Department**

701 South Jeffers  
 North Platte, Nebraska 69101

Phone 308-535-6781

DATE 12-4-20

NAME Read

POLICE REPORT	PARKING TICKET	OTHER	CASH	CHECK	MAIL
		X	X		

20-20898

Tow - 60<sup>00</sup>  
 tax - 4<sup>20</sup>

Impound - 50<sup>00</sup>

\$114<sup>20</sup>

96828

BY

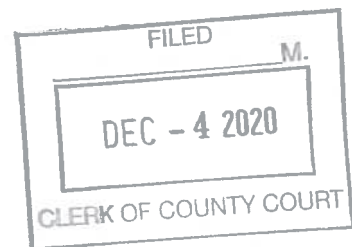
(Signature)

# Notice

if any man or woman enters any  
agreement on my Behalf They will bear  
all liability i take no Plea  
; have Broken no Law

isay here and will verify in open court

X Kayla Reed



## Notice

- this automobile is not used for commercial purposes i; <sup>woman</sup> man declare my automobile a household article\private property

*"The Right of the Citizen to travel upon the public highways and to transport his property thereon, either by horse drawn carriage or by automobile, is not a mere privilege which a city can prohibit or permit at will, but a common Right which he has under the right to life, liberty, and the pursuit of happiness."*

**Thompson vs. Smith**, 154 SE

**Title 18 USC 31:**

**"Motor vehicle"** means every description or other contrivance propelled or drawn by mechanical power and used for commercial purposes on the highways in the transportation of passengers, or passengers and property.

**"Used for commercial purposes"** means the carriage of persons or property for any fare, fee, rate, charge or other considerations, or directly or indirectly in connection with any business, or other undertaking intended for profit.

I say here and will verify in open court to all hearing to be true

x Kayla Redd